

**Notice of Allowability**

Application No.

10/671,031

Applicant(s)

SAKAKI ET AL.

Examiner

Art Unit

Stephen F. Gerrity

3721

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the new application filed 25 September 2003.
2. ☒ The allowed claim(s) is/are 1-5.
3. ☒ The drawings filed on 25 September 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☒ Certified copies of the priority documents have been received in Application No. 10/161,768.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 9/25/03
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

Art Unit: 3721

**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. The application has been amended as follows:

***In the specification:***

Page 1, replace lines 1-3 with the following:

-- **CROSS REFERENCE TO RELATED APPLICATION**

This application is a division of U.S. patent application serial number 10/161,768, filed June 4, 2002, now U.S. patent number 6,668,516.

**BACKGROUND OF THE INVENTION**--.

Page 15, replace line 1 with the following:

--of the reel unit 26. The operator pulls the band 12, wraps it--.

Page 20, line 5, delete "moves" and insert --move--.

Page 21, line 25, delete "no" and insert --not--.

Page 22, replace line 1 with the following:

--operator turns on the manual-tightening switch 76 before the--.

Art Unit: 3721

***In the claims:***

Claim 1, replace lines 1-3 with the following:

-- 1. A packing method for use in a packing apparatus,  
comprising:

a band-inserting step of wrapping a band around an article  
to be--.

Claim 3, replace lines 1-3 with the following:

-- 3. The packing method according to claim 1, wherein the  
band-inserting step is manually performed by wrapping the band  
fed in the band-feeding step around the article, and inserting  
the distal--.

***In the abstract of the disclosure:***

Replace lines 2 and 3 with the following:

-- The distal end of a band remains held after a band-holding  
step. A band-tightening step is performed by operating a  
manual--.

***Explanation for Examiner's Amendment***

3. The specification pages 1, 15 and 22, claims 1 and 3 at  
lines 1-3 of each claim, and the abstract at lines 2 and 3 have  
been amended to insert letters missing from the text of the  
scanned version.

Art Unit: 3721

Additionally, the specification has been amended to insert the heading for the cross reference to the related application as well as updating the status of the related application.

Finally, minor grammatical changes have been made to the specification at pages 20 and 21.

#### ***Conclusion***

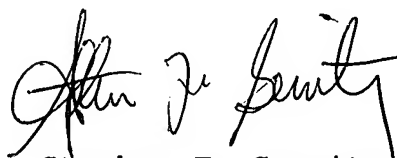
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Stephen F. Gerrity** whose telephone number is (703) 308-1279. The examiner can normally be reached on **Monday - Friday** from 5:30 - 2:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Rinaldi Rada**, whose telephone number is (703) 308-2187, may be contacted. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the

Application/Control Number: 10/671,031

-5-

Art Unit: 3721

Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 3700 receptionist whose telephone number is (703) 308-1148.

A handwritten signature in black ink, appearing to read "Stephen F. Gerrity", is written over a printed name.

Stephen F. Gerrity  
Primary Examiner  
Art Unit 3721

14 July 2004